



Order Filed on July 13, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

RAS Citron, LLC
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Attorneys for Secured Creditor

Shauna Deluca, Esq. (SD-8248)

In Re:

**Seth Lawrence Kain,
Debtor.**

**Lisa Berkeley Kain,
Joint Debtor.**

Case No.: 16-30458-JKS

Chapter: 13

Hearing Date: July 9, 2020

Judge: John K. Sherwood

**AGREED ORDER RESOLVING SECURED CREDITOR'S MOTION FOR RELIEF
FROM THE AUTOMATIC STAY**

The relief set forth on the following pages, numbered two (2) through three (3), is hereby
ORDERED.

DATED: July 13, 2020

A handwritten signature of John K. Sherwood in black ink, written over a horizontal line.

Honorable John K. Sherwood
United States Bankruptcy Court

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Secured Creditor: DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE FOR RESIDENTIAL ASSET SECURITIZATION TRUST SERIES 2006-A6 MORTGAGE PASS-THROUGH CERTIFICATES SERIES 2006-F

Secured Creditor's Counsel: RAS CITRON, LLC

Debtors' Counsel: Dorothy L. Wright, Esq.

Property Involved ("Collateral"): 4 Crestview Court East, Morris Plains, New Jersey 07950

Relief sought: ■ Motion for relief from the automatic stay

For good cause shown, it is **ORDERED** that Applicant's Motion(s) is (are) resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- The Debtor is overdue for 02 months from 05/01/2020 through 06/01/2020.
- The Debtor is overdue for 02 payments from 05/01/2020 through 06/01/2020 at \$2,417.74 per month.

Funds Held In Suspense \$877.28

Total Arrearages Due \$3,958.20

2. Debtor must cure all post-petition arrearages, as follows:

- Beginning on 07/01/2020, regular monthly mortgage payments shall continue to be made directly to Secured Creditor in the amount of \$2,417.74. This amount is subject to change based on escrow and/or interest rate adjustments.
- Beginning on 07/15/2020, monthly cure payments shall be made directly to Secured Creditor in the amount of \$659.70 for 5 months. A 6th and final payment in the amount of \$659.70 shall be made on or before 12/15/2020.

3. Payments to the Secured Creditor shall be made to the following address(es):

- Regular monthly payment: PHH Mortgage Services
Mailstop SBRP
PO Box 5469
Mt. Laurel, NJ 08054
- Monthly cure payment: PHH Mortgage Services
Mailstop SBRP
PO Box 5469
Mt. Laurel, NJ 08054

4. In the event of Default:

■ Should the Debtor(s) fail to make any of the above captioned payments, or if any regular monthly mortgage payment should become more than thirty (30) days late or if Debtor(s) fails to comply with any terms of this Consent Order, counsel shall file a Certification of Default with the Court. A copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

■ In the event the Debtor(s) convert(s) to a Chapter 7 during the pendency of this bankruptcy case, the Debtor(s) shall cure all arrears within ten (10) days from the date of conversion in order to bring the loan contractually current. Should the Debtors fail to bring the loan contractually current, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, Chapter 7 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

■ This agreed order survives any loan modification agreed to and executed during the instant bankruptcy. If any regular mortgage payment due after the execution of a loan modification is more than thirty (30) days late, counsel shall file a Certification of Default with the Court a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

5. Award of Attorneys' Fees:

■ The Applicant is awarded attorney fees of \$350.00 and costs of \$181.00.

The fees and costs are payable:

■ Through the Chapter 13 plan.

The undersigned hereby consent to the form and entry of the foregoing order.


Dorothy L. Wright, Esquire.

Attorney for Debtors

Date: 7/9/2020

/s/ Shauna M. Deluca

Shauna M. Deluca, Esquire.

Attorney for Secured Creditor

Date: June 30, 2020